

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ellis Leon Gibbs, Jr.

Docket No. 4:14-CR-9-1BO

**Petition for Action on Probation**

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ellis Leon Gibbs, Jr., who, upon an earlier plea of guilty to Lacey Act Trafficking Violation, in violation of 16 U.S.C. § 3372(a)(1), 16 U.S.C. § 3373(d)(1)(B), 50 C.F.R. Parts 697.7(b)(1), (2), and (4), and Obstruction of a Proceeding Before a Department and Agency, in violation of 18 U.S.C. § 1505, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 10, 2017, to 2 years probation under the conditions adopted by the court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On October 13, 2015, Gibbs admitted to using marijuana prior to his sentencing in this case. As a result, the probation officer respectfully recommends the conditions of supervised release be modified to include substance abuse treatment.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam  
Melissa K. Gonigam  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: (252) 830-2345  
Executed On: October 20, 2017

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ORDER OF THE COURT

Considered and ordered this 23 day of October, 2017, and ordered filed and made a part of the records in the above case.

Terrence Boyle  
Terrence W. Boyle  
U.S. District Judge